



The State of New Hampshire  
*Department of Environmental Services*



Michael P. Nolin  
Commissioner

March 4, 2005

**LETTER OF DEFICIENCY #WSEB 05-030**  
CERTIFIED MAIL 7099 3400 0003 0690 1728

Nancy Byerly  
2635 Route 3  
Thornton, NH 03223

Subject: Thornton - Public Water System: Blake Mountain Motel/Cottages (EPA #2348080)

Dear Ms. Byerly:

The records of the Department of Environmental Services (DES) show that the Blake Mountain Motel/Cottages water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people, for 60 or more days per year. As such, the water system owner is required to submit samples to the State laboratory or a State-certified laboratory for coliform bacteria analysis in compliance with NH Admin. Rule Env-Ws 325.

DES records show that the subject water system failed to submit five bacteria samples the month following a positive routine sample and as a result a Monitoring/Report (M/R) violation was issued for the month of **October 2004** (copy of Notice of Violation (NOV) dated November 19, 2004 enclosed).

Pursuant to Env-Ws 351, owners of public water systems are required to issue public notification when a system has failed to monitor for bacteriological water quality. As a result of the failure to perform public notification for the October 2004 M/R violation, a NOV, dated January 18, 2005, was sent to you (copy enclosed). The NOV requested that you issue public notification within 30 days of learning of the M/R violation and submit a copy to DES immediately. To date, no proof of public notice has been received by DES, thus placing the water system in violation of Env-Ws 351.01.

In view of the public notice violation, DES believes the deficiencies can be corrected, and future violations prevented, by taking the following actions:

1. **By March 18, 2005**, carry out the public notice requirements for the October 2004 sampling violation; and
2. **By March 25, 2005**, provide proof of public notice to DES.

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**If you have already done the public notice, then please forward it to Barbara Davis at the address listed on the form immediately.**

In the event compliance is not achieved within the above set forth time period, DES may take further enforcement action, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

Please continue to submit water samples according to the water system's Master Sampling Schedule enclosed.

**Please be reminded to submit a "make-up" Nitrate sample for the Fourth Quarter 2004, along with carry out public notice requirements, according to letter dated February 11, 2005 from Kelley Kugel, a copy of which is enclosed.**

Please contact Anne Bailey by phone at (603) 271-0672 or by e-mail at [abailey@des.state.nh.us](mailto:abailey@des.state.nh.us) if you have any questions regarding this letter.

Sincerely,

**COPY**

Sarah Pillsbury, P.G., Administrator  
Water Supply Engineering Bureau

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Enclosures:     Bacteria M/R Notice of Violation dated November 19, 2004  
                     Bacteria P/N Notice of Violation dated January 18, 2005  
                     Chemical M/R Notice of Violation dated February 11, 2005  
                     Master Sampling Schedule  
                     Bacteria M/R Public Notice Form

cc:     Gretchen R. Hamel, DES Legal Unit Administrator  
         Town of Thornton Health Officer  
         Kelley L. Kugel, WSEB (via e-mail)  
         Stephen Scherer, Sampling Agent (w/encl.)  
         EPA, Region 1